

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 15-00545-CAS (KK)	Date	January 27, 2015
Title	Joseph Pettaway v. Jack Fox		

Present: The Honorable	Kenly Kiya Kato, United States Magistrate Judge		
Deb Taylor	None	None	
Deputy Clerk	Court Reporter / Recorder	Tape No.	
Attorneys Present for Plaintiff:	Attorneys Present for Defendant:		
None Present	None Present		

Proceedings: (In Chambers) Order To Show Cause Why Request to Proceed Without Prepayment of Filing Fees Should Not Be Denied for Failure to Submit Trust Account Statement

On January 23, 2015, Plaintiff filed a *pro se* petition for writ of habeas corpus by a person in federal custody pursuant to 28 U.S.C. section 2241. With the petition, plaintiff filed a request to proceed without prepayment of filing fees. However, plaintiff failed to submit a certified copy of plaintiff's trust account statement for the last six months, as is required by 28 U.S.C. § 1915(a)(2) for prisoners seeking to bring a civil action without prepayment of fees.

Accordingly, the court hereby issues this ORDER TO SHOW CAUSE why plaintiff's application to proceed without prepayment of filing fees should not be denied for failure to submit a certified copy of his trust account statement. Plaintiff is ordered to respond to this Order to Show Cause on or before **February 10, 2015**. To respond to the Order to Show Cause, plaintiff must do one of the following:

1. Plaintiff may resubmit a Request to Proceed without Prepayment of Filing Fees with Declaration in Support that includes the certificate of an authorized officer at plaintiff's current place of confinement and attaches a certified copy of plaintiff's trust account statement for the last 6 months in accordance with 28 U.S.C. § 1915(a)(2). A copy of this form (CV-60P) is enclosed for plaintiff's convenience.

2. If for some reason plaintiff is unable to submit a certified copy of plaintiff's trust account statement, plaintiff may file a written response explaining why he is unable to do so. Such written response must show good cause for plaintiff's failure to submit a trust account statement.

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Plaintiff is cautioned that failure to respond to this Order to Show Cause as set forth above will result in the denial of his application to proceed without prepayment of filing fees.